

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking for purposes of revising General Order 96-A regarding informal filings at the Commission.

R.98-07-038

**ADMINISTRATIVE LAW JUDGE'S RULING
PROVIDING FOR REPLY COMMENTS AND
COMMENTS ON THE IMPACT OF SB 779**

In light of the requests made by several parties in their comments filed on or before September 23, 1998, I authorize the filing of replies to this first round of comments. The replies shall be filed and served no later than October 23, 1998, and shall cite the comment(s) to which reply is offered.

Also, I note that Senate Bill (SB) 779 (Calderon) has been passed by the Legislature and signed into law by Governor Wilson. The bill was chaptered as Chapter 98-886 on September 28, 1998, just past the due date for comments. SB 779 has various impacts on Commission practice, and I invite the parties to comment on any changes that should be made to General Order (GO) 96 in response to this new law.

I note, in particular, the requirement in SB 779 that the Commission serve resolutions on advice letter filings on "parties" and provide "at least 30 days public review and comment." See id., Public Utilities Code Section 311(g)(1). However, SB 779 also authorizes the Commission to adopt "rules, after notice and comment, [for] waiver or reduction of the time period" provided that such waiver or reduction would be "[c]onsistent with regulatory efficiency and the need for adequate prior notice and comment" on the Commission's decisions. Id., Section 311(g)(3). In keeping with SB 779, may or should the Commission provide for waiver or reduction of the 30-day public review and comment period

for the resolutions envisioned in this rulemaking for the GO 96 process? If so, under what circumstances should the Commission provide for waiver or reduction? The parties should be as specific as possible in their recommendations on this issue.

Dated October 6, 1998, at San Francisco, California.

/s/ STEVEN KOTZ

Steven Kotz
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Providing for Reply Comments and Comments on the Impact of SB 779 on all parties of record in this proceeding or their attorneys of record.

Dated October 6, 1998, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.